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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,841	02/04/2002	Michael J. Wookey	P7233	5151

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EXAMINER

DELGADO, MICHAEL A

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 08/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/066,841	Applicant(s) WOOKEY ET AL.	
	Examiner Michael S. A. Delgado	Art Unit 2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/20/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent

Application Publication No. 2002/0087657 by Hunt.

In claim 1, Hunt teaches about a method of communicating in a remote services system comprising (Fig 4):

assigning a component “DCOM” within the remote services system with a unique remote services identifier “SCONE” (Paragraph 18, lines 1-13) (Paragraph 42, lines 1-11);

communicating a forward channel communication using a forward channel communication path (Paragraph 40, lines 1-6); RPC request.

communicating a back-channel communication using a back-channel communication path (Paragraph 43, lines 1-14); and RPC response from server.

determining a destination of the back-channel communication based upon the unique remote services identifier of the component (Paragraph 18, lines 1-13) (Paragraph 42, lines 1-11) (Paragraph 64, lines 1-5) (Paragraph 65, lines 1-14).

In claim 2, Hunt teaches about the method of claim 1 wherein the communicating is via a message "RPC" (Paragraph 18, lines 1-13).

In claim 3, Hunt teaches about a method of claim 2 wherein the message includes a header section and a content section (Paragraph 37, lines 1-11) (Paragraph 40, lines 1-6). RPC is an application layer protocol that requires a transportation layer protocol to go from source to destination and visa versa. In data communication this can only occurs by using a transportation layer protocol that support a header that contain a source and a destination address that encapsulate a payload which carries the message itself. Evidence as to the inherence of what is being claimed being present in prior art, is supported in "Internetworking with TCP/IP client-server programming and applications" Vol. 3, page 282 by Comer et al and by "TCP/IP Illustrated Vol. 1 the Protocols", Pages 463-464 by W. Richard Stevens.

In claim 4, Hunt teaches about a method of claim 3 wherein the header section includes information regarding at least one of a source of the message, a destination of the message, routing statistics of the message and a message type of the message transaction" (Paragraph 18, lines 1-13) (Paragraph 37, lines 1-11) (Paragraph 40, lines 1-6). RPC is an application layer protocol that requires a transportation layer protocol to go from source to destination and visa versa. In data communication this can only occurs by using a transportation layer protocol that support a header that contain a source and a destination address that encapsulate a payload which carries the message itself. Evidence as to the inherence of what is being claimed being present in prior art, is supported in "Internetworking with TCP/IP client-server programming and

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applications” Vol. 3, page 282 by Comer et al and by “TCP/IP Illustrated Vol. 1 the Protocols”, Pages 463-464 by W. Richard Stevens.

In claim 5, Hunt teaches about a method of claim 3 wherein the content section includes actual information being communicated (Paragraph 37, lines 1-11) (Paragraph 40, lines 1-6). RPC is an application layer protocol that requires a transportation layer protocol to go from source to destination and visa versa. In data communication this can only occurs by using a transportation layer protocol that support a header that contain a source and a destination address that encapsulate a payload which carries the message itself. Evidence as to the inherence of what is being claimed being present in prior art, is supported in “Internetworking with TCP/IP client-server programming and applications” Vol. 3, page 282 by Comer et al and by “TCP/IP Illustrated Vol. 1 the Protocols”, Pages 463-464 by W. Richard Stevens.

In claim 6, Hunt teaches about a method of claim 5 wherein the content section of the message includes at least one of an alarm, an event, a message response, a bulk data request, a bulk data response and data (Paragraph 70, lines 1-8).

In claim 7, Hunt teaches about a method of communicating in a remote services system comprising (Fig 4):

communicating a forward channel communication using a forward channel communication path (Paragraph 40, lines 1-6); RPC request.) and

communicating a back-channel communication using a back-channel communication path, the back-channel communication path being established only after a forward channel

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communication path is established (Paragraph 43, lines 1-14) (Paragraph 40, lines 1-6); and
RPC response from server.

In claim 8, Hunt teaches about a method of claim 7 wherein the communicating is via a message “RPC” (Paragraph 18, lines 1-13).

In claim 9, Hunt teaches about a method of claim 8 wherein the message includes a header section and a content section (Paragraph 37, lines 1-11) (Paragraph 40, lines 1-6). RPC is an application layer protocol that requires a transportation layer protocol to go from source to destination and visa versa. In data communication this can only occurs by using a transportation layer protocol that support a header that contain a source and a destination address that encapsulate a payload which carries the message itself. Evidence as to the inherence of what is being claimed being present in prior art, is supported in “Internetworking with TCP/IP client-server programming and applications” Vol. 3, page 282 by Comer et al and by “TCP/IP Illustrated Vol. 1 the Protocols”, Pages 463-464 by W. Richard Stevens.

In claim 10, Hunt teaches about a method of claim 9 wherein the header section includes information regarding at least one of a source of the message, a destination of the message, routing statistics of the message and a message type of the message (Paragraph 37, lines 1-11) (Paragraph 40, lines 1-6). RPC is an application layer protocol that requires a transportation layer protocol to go from source to destination and visa versa. In data communication this can only occurs by using a transportation layer protocol that support a header that contain a source and a destination address that encapsulate a payload which carries the message itself.

In claim 11, Hunt teaches about a method of claim 9 wherein the content section includes actual information being communicated (Paragraph 37, lines 1-11) (Paragraph 40, lines 1-6). RPC is an application layer protocol that requires a transportation layer protocol to go from source to destination and visa versa. In data communication this can only occurs by using a transportation layer protocol that support a header that contain a source and a destination address that encapsulate a payload which carries the message itself. Evidence as to the inherence of what is being claimed being present in prior art, is supported in "Internetworking with TCP/IP client-server programming and applications" Vol. 3, page 282 by Comer et al and by "TCP/IP Illustrated Vol. 1 the Protocols", Pages 463-464 by W. Richard Stevens.

In claim 12, Hunt teaches about a method of claim 11 wherein the content section of the message includes at least one of an alarm, an event, a message response, a bulk data request, a bulk data response and data (Paragraph 70, lines 1-8).

In claim 13, Hunt teaches about a method of communicating in a remote services system comprising (Fig 4):

assigning a component within the remote services system with a unique remote services identifier "scone" (Paragraph 18, lines 1-13) (Paragraph 42, lines 1-11);

communicating a forward channel communication using a forward channel communication path (Paragraph 40, lines 1-6); RPC request.

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communicating a back-channel communication using a back-channel communication path, the back-channel communication path being established only after a forward channel communication path is established (Paragraph 40, lines 1-6) (Paragraph 43, lines 1-14); and RPC response from server. and,

determining a destination of the back-channel communication based upon the unique remote services identifier of the component (Paragraph 18, lines 1-13) (Paragraph 42, lines 1-11) (Paragraph 64, lines 1-5) (Paragraph 65, lines 1-14).

In claim 14, Hunt teaches about a method of claim 13 wherein the communicating is via a message “RPC” (Paragraph 18, lines 1-13) (Paragraph 40, lines 1-6).

In claim 15, Hunt teaches about a method of claim 14 wherein the message includes a header section and a content section (Paragraph 37, lines 1-11) (Paragraph 40, lines 1-6). RPC is an application layer protocol that requires a transportation layer protocol to go from source to destination and visa versa. In data communication this can only occurs by using a transportation layer protocol that support a header that contain a source and a destination address that encapsulate a payload which carries the message itself. Evidence as to the inference of what is being claimed being present in prior art, is supported in “Internetworking with TCP/IP client-server programming and applications” Vol. 3, page 282 by Comer et al and by “TCP/IP Illustrated Vol. 1 the Protocols”, Pages 463-464 by W. Richard Stevens.

In claim 16, Hunt teaches about a method of claim 15 wherein the header section includes information regarding at least one of a source of the message, a destination of the message,

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routing statistics of the message and a message type of the message (Paragraph 18, lines 1-14) (Paragraph 37, lines 1-11) (Paragraph 40, lines 1-6). RPC is an application layer protocol that requires a transportation layer protocol to go from source to destination and visa versa. In data communication this can only occurs by using a transportation layer protocol that support a header that contain a source and a destination address that encapsulate a payload which carries the message itself.

In claim 17, Hunt teaches about a method of claim 15 wherein the content section includes actual information being communicated (Paragraph 37, lines 1-11) (Paragraph 40, lines 1-6). RPC is an application layer protocol that requires a transportation layer protocol to go from source to destination and visa versa. In data communication this can only occurs by using a transportation layer protocol that support a header that contain a source and a destination address that encapsulate a payload which carries the message itself. Evidence as to the inherence of what is being claimed being present in prior art, is supported in “Internetworking with TCP/IP client-server programming and applications” Vol. 3, page 282 by Comer et al and by “TCP/IP Illustrated Vol. 1 the Protocols”, Pages 463-464 by W. Richard Stevens.

In claim 18, Hunt teaches about a method of claim 17 wherein the content section of the message includes at least one of an alarm, an event, a message response, a bulk data request, a bulk data response and data (Paragraph 70, lines 1-8).

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3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 19-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent

Application Publication No. 2002/0087657 by Hunt in view of US Patent Application

Publication No. 2001/0047420 by Talanis et al.

In claim 19, Hunt teaches about a method of communicating in a remote services system comprising (Fig 4):

assigning a component within the remote services system with a unique remote services identifier (Paragraph 18, lines 1-13) (Paragraph 42, lines 1-11);

communicating a forward channel communication using a forward channel communication path (Paragraph 40, lines 1-6);

communicating a back-channel communication using a back-channel communication path (Paragraph 43, lines 1-14), the back-channel communication path being established only after a forward channel communication path is established (Paragraph 43, lines 1-14), the communicating a back-channel communication being via a backward message (Paragraph 37, lines 1-11), the backward message including a content section, the content section including at least one of an event, a message response, a bulk data request, and a bulk data response (Paragraph 70, lines 1-8); and

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determining a destination of the back-channel communication based upon the unique remote services identifier of the component (Paragraph 18, lines 1-13) (Paragraph 42, lines 1-11) (Paragraph 64, lines 1-5) (Paragraph 65, lines 1-14).

But does not teaches about the backward message being an alarm. Hunt discloses the possibility of extending his invention to other services (Paragraph 70, lines 1-8). Like all the other services an alarm is represented by message that is piggyback in a package. In Talanis the advantage of using a back channel message (return DCOM channel) for the purpose of delivering an alarm was disclosed (Paragraph 17, lines 1-20). From Talanis invention it was disclosed that back-channel method made it simpler to interface an alarm system with an internet browser. The internet browser is well known and is the most common way to access the internet.

It would have been obvious at the time of the invention for some of ordinary skill to extend the mode of operation of Hunt invention by adding an alarm feature as in the case of Talanis.

In claim 20, Hunt combined with Talanis, teaches about a method of claim 19 wherein the backward message includes a header section (Hunt Paragraph 37, lines 1-11) (Hunt Paragraph 40, lines 1-6).

In claim 21, Hunt combined with Talanis, teaches about a method of claim 20 wherein the header section includes information regarding at least one of a source of the message, a destination of the message, routing statistics of the message and a message type of the message (Hunt Paragraph 18, lines 1-13) (Hunt Paragraph 37, lines 1-11).

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In claim 22, Hunt combined with Talanis, teaches about a method of claim 19 wherein the alarm represents information about as alarm from a support instance (Hunt Paragraph 70, lines 1-8) (Covered in claim 19).

In claim 23, Hunt combined with Talanis, teaches about a method of claim 19 wherein the event includes a notification from a support instance of a change of state of some component (Hunt Paragraph 18, lines 1-14) (Hunt Paragraph 70, lines 1-8).

In claim 24, Hunt combined with Talanis, teaches about a method of claim 19 wherein the message response includes a container for a return status for processing the message (Hunt Paragraph 18, lines 1-14).

In claim 25, Hunt combined with Talanis, teaches about a method of claim 19 wherein the bulk data request specifies a request to a service module to transfer bulk data (Hunt Paragraph 18, lines 1-14) (Hunt Paragraph 70, lines 1-14).

In claim 26, Hunt combined with Talanis, teaches about a method of claim 19 wherein the bulk data response includes attributes indicating whether a bulk data request was successful (Hunt Paragraph 18, lines 1-14) (Hunt Paragraph 70, lines 1-14).

Response to Arguments

Applicant's arguments include the failure of previously applied art to expressly disclose a remote service system. See Response, Remarks dated 05/11/2006, pages 8 and 9. It is evident from the detailed mappings found in the above rejection(s) that Hunt et al. disclosed this functionality in using a Remote Procedure Call (RPC) approach to accessing a server over a network (Fig 4) (Paragraph 0037, lines 1-11) . Further, it is clear from the numerous teachings (previously and currently cited) that the provision for a remote service system using a forward and backward channel (messaging), was widely implemented in the networking art. Thus, Applicant's arguments drawn toward distinction of the claimed invention and the prior art teachings on this point are not considered persuasive.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 2002/0042849 by Ho et al, teaches about a CICS BMS (Basic Message Service) meta model.

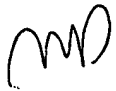
US 2002/0174340 by Dick et al, teaches about a system, method and computer program product for auditing XML messages in a network-based message stream.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael S. A. Delgado whose telephone number is (571)272-3926. The examiner can normally be reached on 7.30 AM - 5.30PM.

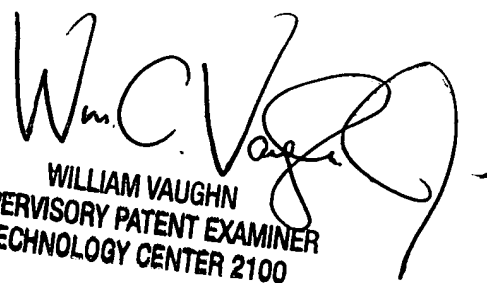
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn Jr. can be reached on (571)272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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